

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA)	
)	
v.)	No. 22-cr-305 (JMF)
)	
NATHANIEL CHASTAIN,)	
)	
Defendant.)	
)	

**DECLARATION OF NICHOLAS T. BARNES IN SUPPORT OF
DEFENDANT NATHANIEL CHASTAIN'S MOTION *IN LIMINE* TO EXCLUDE
EVIDENCE RELATING TO THE LARVA LABS PROJECT**

I, Nicholas T. Barnes, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law and admitted to practice in the State of New York and before this Court. I am an associate attorney at Greenberg Traurig, LLP, attorneys for Nathaniel Chastain. I submit this Declaration in support of Mr. Chastain's Motion *in Limine* to Exclude Evidence Relating to the Larva Labs Project.

2. Attached hereto as Exhibit 1 is a true and correct copy of the government's March 27, 2023 letter to the defense, in which the government noticed its intent to introduce evidence relating to the Larva Labs project as direct evidence in its case-in-chief, or alternatively, subject to FED. R. EVID. 404(b).

3. Attached hereto as Exhibit 2 is a true and correct copy of the defense's April 3, 2023 letter to the government, in which the defense informed the government that its March 27, 2023 letter failed to provide sufficient FED. R. EVID. 404(b) notice.

4. Attached hereto as Exhibit 3 is a true and correct copy of the government's April 5, 2023 letter to the defense, in which the government supplemented its FED. R. EVID. 404(b) notice.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 13, 2023

Respectfully submitted,

GREENBERG TRAURIG, LLP

By: /s/ Nicholas T. Barnes.

Nicholas T. Barnes

David I. Miller

Daniel P. Filor

Charles J. Berk

One Vanderbilt Avenue

New York, NY 10017

Telephone: (212) 801-9200

Facsimile: (212) 801-6400

Attorneys for Nathaniel Chastain